UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
BAKER, MATTHEW H

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *23 December 2004*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,3-13 and 16-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,3-13 and 16-22* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *23 December 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *See Continuation Sheet*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12-23-2004, 9-16-2005, 10-27-2005, 1-11-2006.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1, 3-13, 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by

Wactlar et al (USP 5,835,667).

Regarding claim 1, Watclar teaches a metadata production device, comprising: a content

reproduction portion that reproduces and outputs content (an apparatus and method of creating a

digital library from audio dat and video images, Abstract); an a voice input portion operable to

allow voice signals to be input (col. 6, lines 17-18); a voice recognition portion that recognizes

the voice signals that are input from the voice input portion (col. 7, lines 34-37); a metadata

generation portion that converts the voice signals information recognized by the voice

recognition portion into metadata (col. 6, lines 41-44); an identification information attaching

portion that obtains identification information for identifying positions within the content from

the content and attaches the identification information to the metadata (time-stamps, col. 4, lines

35-40) ; and a dictionary containing information related to that is limited in accordance with the

content; whereby wherein the identification information attaching portion is operable to associate

the generated metadata is associated with positions in within the content (col. 4, lines 41-49; col.

9, lines 57-65); and the voice recognition portion is operable to perform performed the

recognition by using in association with the information contained in the dictionary, when

recognizing the .00.voice signals input from the voice input portion ~~with the voice recognition portion~~(col. 4, lines 41-49; col. 5, lines 14-23, 25-28)~~.~~

Regarding claim 3, Watclar teaches a metadata production device, wherein ~~the voice signal are recognized~~ by the voice recognition portion is <u>operable to recognize the voice signals</u> <u>on a</u> word-by-word or phrase-by- phrase basis using ~~in association with~~ the <u>information</u> <u>contained in the</u> dictionary (described by the function of 154 "using semantic and syntactic constraints, combined with a phonetic knowledge base, which may for example be…a dictionary." meaning either word by word or phrase by phrase while referencing any dictionary, col. 9 , lines 57-65).

Regarding claim 4, Watclar teaches a metadata production device, further comprising an information processing portion including a keyboard, the <u>information processing portion being</u> <u>operable to change</u> wherein the metadata can be ~~corrected through the information processing portion by~~ by user input from the keyboard (col. 14, lines 52-61).

Regarding claim 5, Watclar teaches a metadata production device, wherein time code information ~~that is attached to the content~~ is used as the identification information (Abstract).

Regarding claim 6, Watclar teaches a metadata production device, wherein <u>at least one of</u> content addresses, numbers and or frame numbers attached to the content are used as the identification information (col. 11-12, lines 66-01 and lines 30-35).

Regarding claim 7, Watclar teaches a metadata production device wherein the content is still-picture content, and the address of the still-picture content are used as the identification information (col. 12, lines 30-35).

Regarding claim 8, Watclar teaches a metadata production device, wherein the content

reproduction portion is configured by a content database (col. 16, lines 14-32); the voice input

portion supplies to the voice recognition portion (col. 7, lines 34-37), voice signals of recognized

keywords that have been converted into data with a clock signal that is synchronized with a

synchronization signal supplied from the content database; the voice recognition portion is

configured to recognize the keywords from the voice signal data that has have been supplied

converted into data by the voice input portion; and the metadata generation portion is configured

as a file processing portion that produces a metadata file by using, as the identification

information, a time code that indicates a time position of an image signal that is included in the

content, and ~~combining~~ combines the keywords that are output from the voice recognition

portion with the time code (described by "*concurrent* use of image, speech and natural language

information" and "timing of audio" with the information of video, audio, image, and text

domains all being and readable on 'synchronized', col. 12, lines 41-45).

Regarding claim 9, Watclar teaches a metadata production device, further comprising a

recording portion that records the content that is supplied from the content database together with

the metadata files as a content file (language indexing, col. 11, line 23-30).

Regarding claim 10, Watclar teaches a metadata production device, further comprising a

content information file processing portion that generates a the control file controlling the

relation between the metadata file and recording positions at which the content file is to be

recorded; wherein the control file is recorded in the recording portion together with the content

file and the metadata file (described by "*concurrent* use of image, speech and natural language

information" and "timing of audio" with the information of video, audio, image, and text

domains all being synchronized, col. 12, lines 41-45).

Regarding claim 11, Watclar teaches a metadata production device according to claim 1,

further comprising a dictionary database containing multiple genre-dependent dictionaries (col.

8, lines 8-10), wherein the voice recognition portion can select a dictionary of a genre

corresponding to the content from a the plurality of genre-dependent dictionaries (col. 8, lines

11-14).

Regarding claim 12, Watclar teaches a metadata production device according to claim 1,

wherein keywords related to the content can be supplied to the voice recognition portion as

higher priority keywords; and wherein the voice recognition portion is configured to recognize

the higher keywords ~~with higher priority~~ (interest-ranked, col. 8, lines 8-11).

Regarding claim 13, Watclar teaches a method for producing metadata, said method

comprising: inputting voice signals voice inputting information related to a given content using

an input device (col. 6, lines 17-18) while displaying the content on a monitor (col. 17, lines 34-

36); subjecting the input voice signal to voice recognition ~~with a voice recognition~~ device using a

dictionary containing information related to that is limited in accordance the content to obtain

voice recognition information (col. 17, lines 37-47); converting the voice-recognized information

into metadata; and attaching identification information provided ~~to the content for~~ identifying

positions in the content to the metadata, thereby associating the generated metadata with the

positions in the content (col. 17, lines 37-47).

Regarding to claim 16, Watclar teaches a method for producing metadata, wherein time

code information ~~that is attached to the content~~ is used as the identification information (col. 4,

lines 41-49).

Regarding claim 17, Watclar teaches a metadata production device, wherein the content

is still-picture content, and the addresses of the still-picture content are used as the identification

information (col. 11-12, lines 66-01 and lines 30-35).

Regarding claim 18, Watclar teaches a metadata search device, comprising: a content

database that reproduces and outputs content (an apparatus and method of creating a digital

library from audio dat and video images, Abstract); an voice input portion <u>operable to allow</u>

<u>voice signals to be input and operable to</u> ~~that converts~~ convert voice signals of recognized

~~entered~~ keywords into data with a clock signal that is synchronized with a synchronization

signal of the reproduced content (col. 8, lines 15-20); a voice recognition portion that recognizes

the keywords from the converted voice signal data that has been <u>supplied</u> converted into data by

the voice input portion (col. 7, lines 47-64); a file processing portion that produces a metadata

file by combining the keywords output from the voice recognition portion with time codes that

indicate a time position of an image signal that is included in the content (col. 6, lines 41-44 and

"time-stamps" in col. 4, lines 35-39); a content information file processing portion that generates

a control file for controlling a relation between the metadata file and recording positions of the

content file (col. 14, lines 40-51); a recording portion that records the content file, the metadata

file and the control file (storing the indexed audio data and the digitized video data with their

respective sets of time stamps, col.4, lines 41-44); and a search portion that extracts a recording

position corresponding to a keyword in the content file by specifying the metadata files in which

an entered search keyword is included, and referencing the control file; wherein the recording

position of the content file is the recording position in the recording portion (col. 14, lines 52-

61).

Regarding claim 19, Watclar teaches a metadata search device, wherein the control file

that is output from the content information file processing portion is devised as a table that lists

recording positions of content in the recording portion in accordance with a recording time of the

content, and the recording position of the content can be searched from the time code (col. 17,

lines 43-47 and an example of skipping to a different time in the video in lines 59-60).

Regarding claim 20, Watclar teaches a metadata search device according to claim 18,

further comprising a dictionary database containing multiple genre-dependent dictionaries (col.

8, lines 8-10), and a keyword supply portion that supplies keywords, including keywords having

higher priorities, related to the content into the voice recognition portion (interest-ranked word

lists, col. 8, line 9); wherein the voice recognition portion can select a dictionary of a genre

corresponding to the content from a the plurality of genre-dependent dictionaries, and the voice

recognition portion is configured to recognize those the keywords with higher ~~priority~~ priorities

(col. 8, lines 8-10).

Regarding claim 21, Watclar teaches a metadata search device, further comprising a

dictionary database containing multiple genre-dependent dictionaries; wherein the voice

recognition portion can select a dictionary of a genre corresponding to the content from a the

plurality of genre-dependent dictionaries (col. 8, lines 8-10); and wherein the search portion is

configured to search by keywords that are chosen from a common dictionary used by the voice

recognition portion (col. 8, lines 15-20).

Regarding claim 22, Watclar teaches a metadata production device, wherein an ordinary

attributive keyword having relation to the metadata is attached to the metadata (col. 8, lines 21-

26).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MATTHEW BAKER whose telephone number is (571)270-1856.

The examiner can normally be reached on 9AM-5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Angela Ortiz can be reached on (571) 272-1206. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MHB/

/Angela Ortiz/

Supervisory Patent Examiner, Art Unit 4154